

SOCIO AND SPATIAL SEGREGATION AND INSTABILITY IN A METROPOLIS OF THE BRAZILIAN AMAZON: A CASE STUDY ON “NOVA BELÉM” AND ITS FORTIFIED ENCLAVES

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ABSTRACT

In just over two decades, the dynamics of reconfiguration of the urban space along Augusto Montenegro Highway, in Belém/PA (called “New Belém”) became noticeable. The frantic process of reconfiguration of space and soil of the “New Belém” is due to several factors, among which, we highlight: 1) the strategy of “real estate developers” geared at expanding their businesses; 2) the self-segregation adopted by a portion of the urban population, which, faced with the charms of real estate marketing, abandoned the older part of the urban grid to live in “horizontal

fortresses”. This article aims at identifying the extent of noncompliance with the social function of property in the horizontal gated communities located in the so-called “New Belém”; in order to do that, we carried out a theoretical debate, together with an empirical analysis of urban laws and documents, allowing for the collation of these data with the consequences of expansion of privatization of the urban space and the phenomenon of socio-spatial segregation, which in Belém (PA) is more relevant due to the overly permissive urban planning legislation, resulting in the deepening of socio-spatial segregation and widening of socioeconomic and spatial inequality in the urban space of the city of Belém.

Keywords: Fortified enclaves; Social function of property; Amazonian metropolis; New Belém; Socio-spatial segregation.

*A SEGREGAÇÃO SOCIOESPACIAL E A INSUSTENTABILIDADE EM
UMA METRÓPOLE DA AMAZÔNIA BRASILEIRA: UM ESTUDO DE
CASO SOBRE A “NOVA BELÉM” E SEUS ENCLAVES FORTIFICADOS*

RESUMO

Em pouco mais de duas décadas, observa-se a dinâmica de reconfiguração do espaço urbano no eixo da rodovia Augusto Montenegro, em Belém/PA (denominada de “Nova Belém”). O frenético processo de reconfiguração do espaço e do solo da “Nova Belém” deve-se a diversos fatores, entre os quais destacam-se: 1) a estratégia dos “promotores imobiliários” visando ampliar seus negócios; 2) a autosegregação adotada por parcela da população urbana que, submetida aos encantos do marketing imobiliário, abandonou a parte mais antiga do tecido urbano, para residir em “fortalezas horizontais”. Este artigo visa identificar a dimensão do descumprimento da função social da propriedade nos condomínios horizontais fechados localizados na denominada “Nova Belém”, para tanto realizou-se um debate teórico e, empiricamente, através de um estudo de caso, analisam-se as leis urbanísticas e documentos, viabilizando a correlação de tais dados com as consequências da ampliação da privatização do espaço urbano e o fenômeno da segregação socioespacial; este que em Belém (PA) ganha maior dimensão devido a uma legislação urbanística demasiadamente permissiva, resultando no aprofundamento da segregação socioespacial e ampliação da desigualdade socioeconômica e espacial no tecido urbano da cidade de Belém.

Palavras-chave: Enclaves fortificados; Função social da propriedade; Metrópole amazônica; Nova Belém; Segregação socioespacial.

FOREWORD

The problem of the soil configuration of cities via the spread out urban shape has given rise to many academic researches that aim at understanding the specifics and consequences of adopting this urban land occupation paradigm. Therefore, we found that, due to the research object being complex, this scientific research requires the theoretical reference execution to adopt an interdisciplinary outlook.

In the city of Belém (PA), Augusto Montenegro Highway was widely reconfigured a little over two decades ago. This drastically changed that part of the urban area, causing an increase in population and building density in that area of the city and, above all, significantly “privatizing” the urban land as a result of the construction of horizontal strongholds or rather, fortified enclaves (CALDEIRA, 1997), one of most important characteristics of which is an increase of social and spatial segregation.

Thus, using studies and academic formulas on the research subject matter, we aim at help deepen the theoretical debate on the paradigm of the dispersed city and the expansion of the limit between the urban and real estate resulting from the deployment of horizontal strongholds in the urban grid of Belém. In order to do so, we have analyzed public documents, including the real estate registry and other data collected by the Municipal Finance Department, of Belém/PA regarding the horizontal gated communities located in the urban expansion axis called “New Belém”, as well as municipal urban planning legislation.

Therefore, as one of the authors works in the municipal tax administration agency, without prejudice to provisions of Article 198 of Law 5,172 (BRAZIL, 1966) regarding tax secrecy, it was possible to gain access to the registry data of the properties located in the selected gated communities. In addition, we gave questionnaires to the managers of the selected gated communities, aiming ultimately to have an answer to the question: What is the extent of noncompliance regarding the social function of property in the closed horizontal gated communities located in the so-called “New Belém”?

Aiming at drawing a clear methodological path that would facilitate answering the research question, the following general research objective was also laid down: to determine, in the selected horizontal gated

communities, the quantitative and percentage rate of properties that do not serve an urban property social function.

In order to carry out this research, it was also necessary to select specific objectives that are now related to each other: 1) To define what is “New Belém”; 2) To identify the horizontal gated communities located in “New Belém”; 3) To gather registration information of the properties located in the selected gated communities; 4) To apply questionnaires in gated communities including information and data that need to be confirmed and supplemented; 5) To correlate the percentage of properties that serve no social function to the average market value, based on the municipal real estate register and consultation in an electronic website specializing in real estate transactions; and 6) To correlate data, information, urban legislation and the results of empirical research with the phenomenon of social and spatial segregation.

We have put together some hypotheses about the study object aiming at facilitating the empirical execution of the scientific research that, at the end of the article, will be either confirmed or refuted, as follows: 1) The percentage of urban properties located in the fortified enclaves of “New Belém” that do not serve any social function of the property is directly related to the average market value of the properties; 2) The gated communities inaugurated longer ago include a smaller number of properties without any type of construction; and 3) Municipal urban legislation contributes to the improvement of the social and spatial segregation process in Belém.

Finally, in order to help in the matter of urban land occupation in harmony with urban order, especially regarding the fulfillment of the social function of the properties located in the horizontal fortresses existing in the fictional “New Belém”, we ask the reader to analyze this article and criticize it in order to expand the debate on the research subject matter; after all, it is an extremely important matter in the construction of sustainable cities, as recommended by the City Statute (BRASIL, 2001).

1 “NEW BELÉM”: REAL ESTATE MARKETING STRATEGY

The city of Belém – which was strategically important to the consolidation of territorial domains in the Amazon region due to its geographic location – dates from the early 17th century and was founded

as a result of the dispute about the colonization of the Americas between the two major powers of the time, the Portuguese and Spanish Kingdoms (VIANA, 1967).

In this way, to protect the mouth of the Amazon River and guarantee the territory under Iberian ownership and domination against the French, English and Dutch invasions (PEREIRA; LIMA, 2007), Francisco Caldeira Castelo Branco, a former Captain-Major of Rio Grande do Norte and one of the heroes of the expulsion of the French from the state Maranhão, commanded an expedition of 200 men with the objective of removing the foreign corsairs from the north seacoast and start the colonization of the so-called “Amazon Empire.” (IBGE, 2018)

Thus, on January 12, 1616, Francisco Caldeira Castelo Branco officially founded the city of Belém by laying its foundations in a place now called Forte do Castelo (Castle Fort), which was formerly named Forte do Presépio (Nativity Box Fort). This fortification, which was strategically located in the south of the Amazon River estuary and was protected from the seaward side, was a construction that contributed decisively to the Portuguese expansion to the north of Brazil (CRUZ, 1973).

Also on the occupation of the Amazon region and thus Belém, Becker (2009, pp. 24-25) lists the elements that have gained prominence during the long period of establishment of the region, namely: a) a late occupation driven by the momentary valuation of natural resources sold in the international market; b) the geopolitical importance of the region, aiming ultimately at controlling the territory in order to guarantee economic interests, and which was made possible by the building of forts in strategic places and of administrative units linked to the central government; and c) the clash among territorial occupation models, the first being one that looked at the region as a geographical space for the supplying of natural resources, v.g., the India rubber boom. The second contrasting model was the one that sought endogenous growth and local autonomy, v.g., the missionary project.

Initially baptized of 'Feliz Lusitânia, later called Santa Maria of Grão Pará and, finally, Santa Maria de Belém do Grão Pará, the city of Belém do Pará, as it more widely known, currently has an estimated population of 1,452,275 people (IBGE, 2018), making it a millionaire city, as it has over one million inhabitants.

However, despite its richness and relevance to the country, given its natural vocation for leadership in the northern region, thanks to its economic, historical and cultural prominence in the Amazonian situation, it is said that Belém is a city where urban-environmental problems abound, a result of a corporate-oriented urbanization strongly tied to the interests of large companies, especially real estate agents. It is defined as “a receptacle of the consequences of a capitalist expansion that devoured public resources, since they are geared toward economic investments, in detriment of expenditures in social matters” (SANTOS, 2009, p. 105).

Lencioni (2016) says that, “while Belém is modern and sophisticated, it is also a city with serious housing deficits, which shows up as slums, known as lowlands, as well as in a lack of urban infrastructure and services.”

Based on this logic of appropriation of the urban space, the real estate agents – developers, builders, banks and brokers (Corrêa, 1989, p. 19) – decided to exploit the city land along the margins of Augusto Montenegro Highway and its surroundings as a business strategy. So, they turned this area into a commodity, based on a rationale that fits what Lefèbvre (2001) described as the use of the city as exchange value, to the detriment of its use value.

The once city of Santa Maria de Belém do Grão-Pará, which in the not-so-distant past held a preponderant use value, now clearly displays an exchange value thanks to the strength of real property-speculative capital (real estate agents) that treats it as a product capable of maximizing the invested value, since as Harvey (2012) explains, the city is necessary for capitalists to reinvent their surplus capital.

Thus, in order to sell the urban land along the axis of Augusto Montenegro Highway and the surrounding area, real estate agents started a real property marketing campaign where they renamed that stretch of the municipality urban area as “New Belém”.

On Highway Augusto Montenegro, it is necessary to quote the following passage:

[...] for a period of 40 years (1960 to 1990), the area around Augusto Montenegro Highway or, simply New Belém, was considered the outskirts and frontier of urban-real estate expansion of Belém; currently, it is confirmed a new real property”(GUIMARÃES, 2013, p. 32).

It is necessary to remember that the outskirts urban space is little valued, stigmatized and, therefore, arouses little interest of real estate agents, a condition that allowed the urban soil in that area to function as *social fallow* for almost four decades, a kind of real estate inventory to be used in the future. Soon, in the early 1990s, the “future arrived,” that is, real estate agents began their business planning aimed at creating a new centrality in the urban grid, in this case, “New Belém.”

Regarding the creation of new centralities, it must be said that these are projects actualized as processes conducted by large developers, by the State or even by groups with interests in the qualification or, also, resignification of certain areas. Areas of the urban grid that are reconfigured to meet tourism or business interests, for the operation of shopping malls, as well as the construction of residential or business gated communities (FRÚGOLI JR., 2000).

Consequently, it was possible to see during the past two decades that “New Belém” became the *locus* of the new centrality in Belém (PA), mainly due to the efforts directed by real estate agents; the municipal government role was limited to follow in the wake of corporate interests by means of public fund expenditures to ensure too late minimum urban infrastructure, which also contributes to increase the value of the land in the new centrality and, ultimately, contributed to the reproduction of the capital invested in the acquisition of land in that region of the city (private enrichment financed using public funds).

It should be noted that from the 1960s to the 1990s, the area around Augusto Montenegro Highway was considered the city’s outskirts, that is, it was not part of the so-called rural area, nor was it part of the urban area of Belém. Therefore, it was located in a gray zone of intercession between the region where city urbanization was consolidated and the rural area.

Thus, the outskirts or, rather, the periphery of any Brazilian city, consist of a stigmatized space looked down upon by the population in general; it is part of the imaginary of society as a boundary of violence and

poverty, where the soil is difficult to use, where there is a lack of services, where the value of land is low, and mass public transport is precarious. Furthermore, this space is also seen as rent value is the only one the less favored classes can afford, confirming that the occupation of the soil in cities is the result of a process of social and spatial segregation.

In order to begin their real estate and occupation plan for the Augusto Montenegro Highway area, real estate agents needed to build another representation of that space of the urban grid (even if the essence of that *locus* remained partially the same) by means of a narrative geared at making the “real estate product” (horizontal gated communities) more attractive to their customers. This effort tried to maximize the resource used in the acquisition of a real estate inventory (*social fallow*) and, in order to achieve that, the soil value had to be higher.

It was in the late 1980s that the initial period of this process of setting up a centrality based on an attempt to replicate the foundations of the so-called “New Urbanism”¹ movement took place; it was made in a wrong day, distinct from the basic notions of that movement. In order to do so, a discourse using real estate marketing strategies was created in an attempt to foster self-segregation (SOUZA, 2010) in a search for a more bucolic, safe and healthy place to live, a discourse that is even nostalgic, looking back to a time that no longer existed, toward a city that was part of the past.

It can be seen that, in order to sell the lots in the horizontal gated communities, real estate agents decided to build a discourse that transformed that very stigmatized urban space in a place where one would, in theory, find quality of life and safety. This narrative also depreciates the representation of the traditional city, particularly the centrality consolidated in the first boundary league², thus rejecting the true meaning of a city, namely, a miscellaneous space for coexistence among its inhabitants.

Thus, in addition to the discourse extolling the virtues of living in a confined environment separated from the actual city, where there is

1 According to Silva and Ávila (2014), New Urbanism is the most influential movement of architecture and urbanism in the United States since the Modern Movement; it includes a new structuring of the city, where it appears more compact and has mixed uses, thus facilitating both the traffic by non-motorized modes, and the gathering of people and a sense of community.

2 According to Menezes and Santa Rosa (2011), in 1703, the First Boundary League of the city of Belém do Grão-Pará was signposted; it was an area granted through the 1628 Sesmária Charter by Captain-Major Francisco Coelho de Carvalho and was the beginning of the architectural heritage of the Municipality of Belém.

permanent security and various amenities, a second strategy adopted by real estate agents consisted in assigning another name to that area of the urban grid that could create a satisfactory image for business purposes. At that moment, “New Belém” was conceived by those real estate agents.

This way, despite being the inauguration of the property called “Green Ville”, which started the reconfiguration of that piece of the urban fabric, it was not until the second half of the 1990s and mainly during the 2000s that the occupation of the land in the “New Belém” became more intense, thus allowing for the appearance there of several “fortified enclaves” (CALDEIRA, 1997, p. 155), in particular, the horizontal gated communities that are the subject matter of this academic research.

Thus, it became clear that marketing professionals and real estate agents started calling the Augusto Montenegro Highway and its surroundings “New Belém” in order to create a new label for that urban space that would favor the commercialization of the real estate developments there, thus weakened or eliminating its stigma as a *locus* for violence and poverty.

This strategy was supported by the municipal (Executive and Legislative) powers and can be exemplified by the change in the boundaries of Benguí neighborhood (an urban *locus* ripe with derogatory labels, located at that time on the outskirts of the municipality). This change took place with the transfer of the Benguí area to the neighborhood called Parque Verde (Green Park), as can be seen in the summary of legislative development detailed below:

- On January 24, 1984, Ordinary Law 7,245 was passed, defining the boundaries of the districts of Belém at that time; according to Article 1 of that law, there were 20 (twenty) neighborhoods that made up the municipal property area.
- On January 5, 1994, Statutory Law n. 7,682 was passed, which provided for the administrative division of the Municipality of Belém into regions, establishing the boundaries of the respective territorial spaces of the administrative districts. Art. 6, IV defined the Benguí neighborhood was the fourth administrative district (DABEN); Art. 7, IV also set the boundaries of that district;
- On July 30, 1996, Ordinary Law 7,806 was passed, establishing new neighborhoods and setting the limits of their respective areas.

Thus, with the new law, Belém, which once had 20 (twenty) neighborhoods, now had 71 (seventy-one), including the new neighborhood of Parque Verde, as a result of an area in the Benguí neighborhood being subdivided.

It can be seen, therefore, that the area of the Benguí neighborhood was decreased (subdivided), and the Parque Verde neighborhood was created from it, this one actually without the disrepute, labels and stigma that encumbered the Benguí neighborhood. Soon, there was a new neighborhood suitable for the endeavors of real estate agents that could more safely prepare their marketing and sale campaigns, which said that there were developments in the new neighborhood (Parque Verde).

As an illustration of that rational, we quote the following:

The incorporation of areas that were previously not institutionally/legally acknowledged demonstrates the arrangements formed between different agents and matching strategies and interests of the capitalization process of the urban space; this way, the incorporation of the city outskirts is particularly illustrative of the mobility and/or progress of capital by the inclusion of new real estate spaces (GUIMARÃES, 2013, pp. 32-33).

This way, the present case we can see there was an explicit arrangement between (real estate and political) agents geared at including areas of the city in the real estate portfolio of products to be marketed by real estate agents, in a strategy typical of agents that produce the urban space from a corporate outlook.

Along the same lines, the images and advertisements spread around the metropolitan area aim at stimulating the interest of consumers and residents for “New Belém”, emphasizing “visual appeals such as peace, tranquility, progress, modernity and beauty. They are presented as ideal spaces by real estate marketing ads” (MENDES, 2014, 112).

The discourse put together by the real estate marketing is compelling when it creates the image of an urban space where it is very fulfilling to live and, to that end, advertise the advantages (many merely illusory) of living in fortified enclaves, such as:

1. “Parque Verde neighborhood is a winner from how easy it is go get to it”, suggesting mobility of people along the urban grid is important;
2. “Live close to everything you need”, alluding to an already consolidated urban infrastructure, a requirement in great demanded by its customers;
3. “Live in safety, comfort and leisure”, keywords in the discourse of real estate agents focused on the sale of their “products”;
4. “Invest with confidence”, a stimulus to land speculation; and
5. “Enjoy the region growing in Belém”, stressing to the reader that this is “New Belém”, a dynamic area ready to welcome them as either a resident or an investor.

So, the narrative used in the advertising pieces of the time (late 1989) inaugurated the marketing rhetoric style of real estate agents. However, mainly from the mid-1990s, it advertised the emergence of an ideal city capable of being lived in by those eager for quality of life and, subliminally, stating the bankruptcy of old Belém, or the way of life in the consolidated centrality, particularly in the first boundary league.

2 FEAR OF THE CITY AND ITS CONSEQUENCES

This research was designed to analyze the so-called fortified enclaves and their establishment in “New Belém”. From the early 1990s, based on a narrative that exploited the Belém residents’ fear of the city, the real estate agents tried to boost their business related to the development of several horizontal gated communities in the part of the urban grid analyzed in this paper.

The feeling of fear, the fear of living in the traditional city³ – the *locus* of plurality and coexistence between among beings – is a tool of land speculation that has been used efficiently in recent decades by real estate agents and politicians in the cities of third world countries.

According to Caldeira (1997, p. 155), fortified enclaves are spaces that find in the fear of violence one of their main justifications. Because of

3 According to Trindade Jr. (2016), Belém was once a compact city; today, it’s urban shape is scattered. Thus, the compact city is a proposal that advocates proximity, public spaces, contact between individuals and leverages human activity (LIMA, 2014, 267).

that, they are increasingly bringing in those who prefer to abandon the traditional public space of the streets to the poor, the marginalized, the excluded, or, as Bauman (2009, p. 22) puts it, the “non-assimilable” in general. However, this sentiment was appropriated by the real estate market and used as a fundamental element of a discourse that, on the one hand, attempts to create an ideal city, such as the garden city model⁴ originally conceived by Ebenezer Howard (JACOBS, 2009, p. 16) and, on the other, tries to foster contempt for the old city.

The same phenomenon can be noticed in the city of São Paulo, evidently, in a different scale from the city of Belém, but that can be used as analytical data in this research; to that effect, we believe the following section contributes to this objective:

With the growth of violence, insecurity and fear, citizens adopt new protection strategies, which are modifying the urban landscape, residence and commuting patterns, everyday pathways, the habits and gestures related to the use of streets, and public transportation. In fact, fear of crime ends up altering all kinds of public interaction within the city space (CALDEIRA, 1997, p. 158).

Concerning Belém, we see that confinement in horizontal gated communities results, among other factors, from the fear of urban violence, implying a significant loss of Belém citizens’ ability to coexist with their fellow citizens. After all, as a rule the gated communities they live in, despite having streets and spaces intended for social mingling together of people, there is little movement of people along these spaces. They are “silent streets” and nearly “virtual” public” spaces that do not produce social life and interaction among those who jointly own the common domain of the gated community areas, as shown by the fragments below:

The streets are always empty of people, because they are not a place of contact and the establishment of social relations of daily life; they are only a gateway space, a space that is always void, little used by the residents. The ones that use them are the worker who do the cleaning and gardening, or when commuting to and from their work places or going back home, which the residents do in their cars.

⁴ As taught by Zapatel (2017), the garden-city theory is a response to the disorderly expansion of the modern metropolis. Its design is based on a vision of decentralization, where different settlements work together with green areas, seeking for an middle-ground between the city and the countryside, so as to produce a sort of social life in interaction with nature.

[...]

Public squares and other public facilities, such as pay telephones and banks (Picture 16), also prove to be “mock spaces”, as they do not perform their actual function of contact and establishment of social relations. This way, the street denies itself, as within the gated community it is deprived of traffic and relations; that is why, for the Brazilian elite, the street is the space of the unfamiliar that has been replaced by shopping center and selective and exclusive places for the use of social and economically equals, where they prefer to hold their relations (MENDES, 2014, pp. 136-137).

Another consequence of the fear as a real estate and ideological marketing tool is the construction of horizontal gated communities that can be compared to the fiefs of the Middle Ages, due to the security apparatuses installed in them: the walls amount to the fortifications, the entry gates, which segregate access to the gated communities, are the gates of the medieval citadel, with the armed security guards being the fief guards, the monitoring cameras, the sentinels, and so forth. On this subject, the following contribution is considered appropriate:

The war on insecurity, risks and hazards is ongoing *within* the city; in it, the battlefields are clearly bound, and the front lines are “well-defined”. Although they take on very different forms, and their designers strive to merge them in scenario of the cities – “normalizing” the state of emergency in which the residents, addicted to security, live their everyday lives [...] (BAUMAN, 2009, page 62, emphasis added)

Thus, it is possible to understand that the construction of horizontal strongholds in cities located in Southern Hemisphere countries is a facet of what Graham (2016) calls new military urbanism, which consists of a new set of ideas, doctrines and strategies established on a long history of urban fortifications and constructions aimed at monitoring and combating insurgency by militarily means.

Such an ideological framework is extensively used by the dominant elites, who reconfigure their own cities in order to connect them on a global level, allowing them to be part of an international circuit of consumerism for tourists (*city marketing*), investors, and those who participate in mega-events. However, on the other hand, there are the masses of workers who claim the right to enjoy urban life (right to the

city), asserting their claims to services, education, and employment that will provide them with dignity and safety.

Therefore, the fear of the traditional city is one of the most relevant causes of the scattering of the urban grid, since the horizontal gated communities aggressively occupy the urban land, as they require large areas (a significant part of the city area becomes totally private), ultimately implying in the expansion of the urban-real estate frontier. Therefore, this paradigm of urbanization ends up also helping increase the *per capita* cost of urbanization⁵; after all, when the urban shape increases its size along the horizontal direction (scattered city), it causes as one of its consequences a necessary increase in to the public cost of urban works and services.

2.1 “Horizontal fortresses” and socio-spatial segregation of “New Belém” in Belém

It is important to emphasize now that the term horizontal fortress refers to the already-consecrated expression, *fortified enclave*. In other words, it is advertised that such planned and built fortresses are the horizontal gated communities that, in their turn, result from a choice of the real estate agents operating in Belém (PA) of expanding the city urban-real estate frontier city, thereby maximizing the financial capital invested in urban land stock in the “New Belém” area.

It is also relevant to mention that the word “enclave” means that “part of a territory or country enclosed within the geographical limits of a different territory or country” (PRIBERAM, 2013). In other words, Sousa (2005) explains that enclave means “the territory of a State surrounded by the territory of another State”.

From the original meaning of the word “enclave”, Caldeira (1997) came up with a metaphor to establish a parallel between the economic and political enclave and horizontal gated communities (which at that point in Brazilian urbanization history already displayed their power to reconfigure the city). Thus, as horizontal gated communities are defined as private areas that are segregated from and surrounded by the rest of the urban fabric, the author moved the meaning of the word to within the theme of production of the urban space and announced the existence of urban enclaves.

⁵ According to Bazolli (2015), the *per capita cost of urbanization* in Belém in 2015 amounted to R\$ 84.27.

Furthermore, the author added the “fortified” adjective due to the fact that these condominiums are heavily protected, thus comparing them to fortresses or castles, as we already mentioned when addressing the issue of fear of the city.

Thus, to fight for the establishment of fortified enclaves means attacking the traditional city paradigm that the prevailing discourse treats as violent, dirty, chaotic, the *locus* of the non-assimilable (BAUMAN, 2009). As a result, many architects and town planners, but mainly real estate agents, suggest the building of fortified enclaves; they justify their views by referring to the ideology of the garden cities, in a clear attempt to go back to a past when cities displayed a greater amount of vegetation, were more bucolic, when there was more security, and fear was almost non-existent, finally, it evinces a kind of nostalgia that aims at justifying this paradigm of urban land occupation.

It has been argued that, despite the formulated and transcribed criticisms about the urban paradigm, whose result are horizontal fortresses, the city should house multiple spaces, including horizontal gated communities, provided that it is possible for city dwellers to choose where to live. However, speculation does not allow this option to be realized, and the clearest example are families that lack financial resources, because they have no choice, they live where they can, even in risk areas, v.g. lowlands (which are not a priority for real estate agents).

In relation to lowlands, the following is recorded:

Until the 1940s, these areas were not seen as spaces that would attract so much attention from urban investors, whether public or private. From the 1950s on, the aspects urban space production in Belém had a more significant impact on them, becoming more intensive in the 1960s, 1970s and early 1980s, as part of the accelerated urbanization process triggered by the new dynamics of regional space production (TRINDADE JR., 2016, p. 101).

Regarding the space assigned to the poor in this urban space production paradigm, Caldeira (1997, p. 171), when comparing São Paulo to Los Angeles (USA), states that in both, “elites are withdrawing into increasingly controlled private environments and leaving modern public spaces to the poor.”

In the same vein, Davis (1990, pp. 223-224) says that Los Angeles

residents “live in ‘fortress cities’ brutally torn between the ‘fortified cells’ of affluent society and ‘places of terror’ where the police fights against the criminalized poor.”

Therefore, it can be seen that the violent city, where fear reigns (at least in the discourse of the defenders of the segregating urban form) is destined to shelter dispossessed people who are unable not choose where to live, and reside where they can. This way, the same paradigm of urban and metropolitan space production in the two global cities mentioned can also be very clearly seen in the city of Belém, albeit on a smaller scale.

Taking up the discursive path, it is necessary to say that the so-called fortified enclaves are characterized by being privatized, closed and monitored spaces for residence, consumption, leisure, or work (CALDEIRA, 1997, 155), that is, they are private spaces within the urban spot, whose main characteristic is the security apparatus that promises to keep out the violence of the chaotic city (according to its enthusiasts) from entering the limits of a promised paradise, an urban oasis that has norms for coexistence and specific building styles.

In this situation of boosting an urban reconfiguration toward a scattered city where the land plots of the various condominiums are segregated from the rest of the city, it is possible to say that these properties are also inserted within the urban order; in other words, they are submitted to the discipline of municipal planning, particularly the master plan, as the basic instrument of the city’s development policy.

Therefore, the urban land is subject to provisions in urban laws in the master plan, as Art. 182, §4 of the Federal Constitution (BRASIL, 1988) “gives the power”⁶ to the city administration to demand from the greenfield, underutilized or non-utilized owner of a portion of soil defined in the master plan to provide for its proper use. This is determined in the City Statute (BRASIL, 2001), and failure to do so will cause successive penalties, namely: I – Compulsory land subdivision or construction; II – IPTU (urban tax) increasing over time; III – expropriation-sanction.

Thus, condominium lots must also fulfill a clear social function, since the legal order of the country makes it clear that the property must

6 It is inferred that the constitutional law maker was wrong on including an optional rule, because, according to a teleological interpretation of the Republic Charter, the property right must be accompanied by the provision of a social function. Therefore, the constitutional text should include a binding norm giving powers (the result of a duty) to municipalities to demand the fulfillment of said property social function. Moreover, the fact that urban planning legislation does not allow the urban planning instruments provided for in Paragraph 4 of Article 182 to be applied does not keep properties that fail to fulfill their social role from existing. This task is fundamentally to public managers to make decisions geared at ordering the use and the occupation of urban land.

serve the community; that is, the use, enjoyment, and individual fruition of a property must go hand in hand with the duty of generally serving everyone; therefore, the property has the overarching duty of playing a social function. This reasoning is covered by Articles 5, section XXIII, Art. 156, § 1, Art. 170, section III, Art. 182, §§ 1 and 2 e Art. 184 of the Republic Charter (BRASIL, 1988), in Art. 1228, § 1 of Law 10,406, the Civil Code (BRASIL, 2002) and in Law 10,257, the City Statute (BRASIL, 2001).

Therefore, it can be seen that the legal regime for urban properties is intensely based on the principle of the social function and so it should be understood that such a system “belongs fundamentally to the field of urbanistic law, [...] which determines the principles that dominate the legal regime of urban property, since, as we have seen, rights on urban properties are subject to the public function of urbanism” (SILVA, 2008, pp. 79-80).

This way, we defined the methodology to analyze the horizontal gated communities located in “New Belém” and, as explained above, a section of the urban space, designed by the marketing of real estate agents and later assimilated by the municipality and by part of the Belém population⁷, is separated from its surroundings along the Augusto Montenegro Highway, as Mendes (2014, p. 111) discussed in his master’s dissertation and as shown by the following image-chart⁸:

Figure 1 Image-chart of northern Belém with fortified

7 Mendes (2014) says that part of the population residing or working in “New Belém” accepts that area of the urban grid “as a new space of consumption and opportunities.”

8 Image-charts are satellite images in letter page size. In this type of product the satellite scenes are digitally linked to cover the requested area, and subdivided into letter page sized units (IBGE, 2018).

enclaves along “New Belém”.



Therefore, “New Belém” is considered to cover the stretch from Centenário Avenue and Augusto Montenegro Highway (northward) to the Administrative District of Icoaraci⁹, as seen by the red line in the above chart. The southern stretch of Augusto Montenegro Highway was disregarded, as it had been occupied even before the 1990s and because there are no fortified enclaves there. On the other hand, there are no fortified enclaves on Independência Avenue, on Mário Covas Highway, and on Tapanã Road, and therefore these roads are not marked in red in the above chart.

We want to stress that there are other horizontal gated communities in “New Belém” that, at a first glance could be part of the

⁹ The stretch of Augusto Montenegro Highway (up to the Administrative District of Icoaraci) alone is 6.1 km long.

researched subject matter, such as the housing developments of Satélite, Catalina, Tapajós, Maguari, and Cohab (Icoaraci). However, we want to point out again that the researchers focused only on horizontal gated communities, since these, due to being privatized urban spaces, contribute to socio-spatial segregation, as will be discussed later.

That said, in this scientific research we believe the real estates (land plots) existing in the closed horizontal condominiums of “New Belém” that are 1) not built; and 2) not used disregard the urban order and, therefore, do not fulfill the social function of a property.

In the research process, after collecting the registry data of the properties located in the selected gated communities (from the municipal real estate registry) and applying the questionnaire to the gated community managers in order to obtain and confirm extra information, and after surveying the average market value of the lots and houses located in the fortified enclaves based on the information contained in ads in the most widely distributed newspapers in the State of Pará¹⁰, we were able to obtain the data in the table below:

Table 1 Determination of noncompliance with social function of property in “New Belém” Fortified Enclaves

| Fortified enclaves | N. of Land Plots | Land Plots without any construction | Built and uninhabited land plots | Percentage of noncompliance with the property social function | Average market value |
|----------------------------------|------------------|-------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------|
| Cidade Jardim I Gated Community | 250 | 10 | 12 | 8.80% | House: 495,000.00 Lot: 220,000.00 |
| Cidade Jardim II Gated Community | 642 | 37 | 66 | 16.04% | House: 565,000.00 Lot: 250,000.00 |
| Greenville I Gated Community | 302 | 12 | 43 | 18.21% | House: 1,200,000.00 Lot: 450,000.00 |

¹⁰ Based on information in the website of the Newspaper National Association, available at <<http://www.anj.org.br/maiores-jornais-do-brasil/>>. Access on: 30 Dec. 2018.

| | | | | | |
|-----------------------------------------------|-----|----|----|--------|------------------------------------------|
| Greenville II Gated Community | 169 | 11 | 16 | 15.98% | House: 1,200,000.00 Lot: 450,000.00 |
| Greenville Exclusive Gated Community | 140 | 0 | 14 | 10% | House: 680,000.00 Lot: Unavailable |
| Montenegro Boulevard Gated Community | 393 | 0 | 14 | 3.56% | House: 1,100,000.00 Lot: 300,000.00 |
| Jardim Portugal Gated Community | 250 | 97 | 16 | 45.2% | House: 390,000.00 Lot: 100,000.00 |
| Park Ville Residence Gated Community | 210 | 0 | 16 | 7.62% | House: 350,000.00 Lot: Unavailable |
| Água Cristal Gated Community | 270 | 68 | 9 | 28.89% | House: 2,550,000.00 Lot: 1,050,000.00 |
| Cristal Ville Gated Community | 180 | 2 | 10 | 6.67% | House: 1,900,000.00 Lot: 780,000.00 |
| | | | | 16.97% | |

Source: Field work; prepared by the authors.

Thus, we ascertained that an average of 16.97% of the properties/ lots in fortified enclaves are not fulfilling the social function of a property, as determined by the Brazilian urban order.

It is necessary to tell the reader that this percentage of real estate that is not fulfilling any function to society is a snapshot in time, since the data were obtained in the months of April and May of 2018. This means that they will naturally vary over time; after all, some of the properties that today fulfill no social function are used as source of income for their owners (rents), others are used for “investment” purposes (speculation).

It should be noted that there are other reasons why these properties fail to agree with the urban order (this paper did not aim at ascertaining the causes of such disregard to the urban order). However, we want to say that this snapshot of a certain moment is important to learn about the scope of the disregard of the social function of a property in the horizontal gated communities located in the so-called “New Belém”.

However, what does it mean when almost 17% of the properties contained in the fortified enclaves do not fulfill any social function?

Considering that the “fortified enclave” or horizontal fortress consists in privatized space and does not interact with the rest of the city, it can be said, in a preliminary way, that the total area of the gated communities surveyed is segregated from society and can only be accessed by those who have the financial resources to do so. In addition, it can be seen that 17% of the total area of the gated communities have no usefulness (social function) even to the gated communities themselves, in a clear disregard to the urban-environmental order. These findings allow us to understand that the neediest citizens live where they can and not where they want. In other words, right to the city is assured to some and denied to others.

In tandem with the above consequence, it can also be said that idle urban spaces without social function could contribute to the configuration of a less scattered and therefore more compact city with lower urbanization cost. Thus, if fortified enclaves, on the contrary, deepen the urban form of a scattered city, and if part of the area of the “urban fiefs” cannot be accessed by lower income inhabitants, this means that that lower-income citizens will only manage to get a place to live in the outskirts of the urban grid which are, as a rule, a region extremely lacking in urban infrastructure, resulting in a lower quality of life for those second class inhabitants.

In sum, the above average percentage indicates that a significant portion of the urban land is being used for private purposes, to the detriment of objectives that are beneficial to society as a whole, thus increasing segregation in the urban grid of Belém. On this subject, the following quote applies:

As for residential segregation, it is essentially a product of the city. Mere settlements or rural villages do not have a complexity that gives rise to whole districts or large spaces being segregated, quite the contrary, they are relatively homogeneous.

Residential segregation is an urban phenomenon, and in larger cities is much more intensive than in small towns. Residential segregation is a problem for several reasons (SOUZA, 2010, p. 83).

It is evident that the above diagnosis does not make it compulsory for large cities to be configured in a scattered way suitable for socio-spatial segregation. On the contrary, it is up to the agents producing the urban space to put efforts and energy in the attempt to regulate socio-spatial or residential segregation in the municipality and in the metropolis of Belém.

Another consequence of socio-spatial segregation is the fact that horizontal gated communities impoverish the collective urban life because, as their residents live in their urban ghetto, they find it more difficult to access the several urban services scattered throughout the urban grid, they are denied choices due to being isolated from social interaction.

This impoverishment of urban life, in other words, is due to this model of segregating corporate urbanization that produces a discontinuous urban fabric, making social interaction and coexistence among the inhabitants difficult; this results in divided and guarded cities, such as the fiefs in the Middle Ages, where only a privileged few had the right to access and protection.

These reasons are enough to acknowledge that fortified enclaves do not produce cities, because cities should serve for interaction among their users and inhabitants. Therefore, cities must be multicolored, multicultural, multi-ethnic, equitable, and finally have spaces where different social classes can live in harmony and without prejudice.

Unfortunately, the fake veneer of real estate marketing cause citizens to live cloistered in the horizontal gated communities, thinking they are safe from the violence of the city. In fact, real estate agents advertise horizontal gated communities as real estate products, a security tool, or even a leisure object on a shelf for sale to those who have the money to buy them, a practice that boosts segregation in cities.

However, due to marketing and sale strategies, the price of a plot in gated communities is relatively high (Table 01), and is therefore only affordable to few citizens. This creates ghettos of people who, in general, think similarly, have a similar income, and are of the same color, thus weakening the original idea of a city as a plural space for social exchange.

Thus, the improvement of the socio-spatial segregation is

confirmed when we contrast subnormal clusters like *favelas*, invasions, grottoes, lowlands, slums, villages, outskirt districts, huts, stilt houses, and others, (IBGE, 2018) to the fortified enclave. The first ones are stigmatized as an environment full of violence and poverty, a dangerous and prejudiced generalization. The second is seen as a retreat, an oasis protected from the violence existing in the perverse city. However, this is a great illusion fostered by real estate agents, because those who reside in a fortified enclave live under a false sense of security.

On the above, Rolnik (2015, p. 274) argues that the “periferia” (outskirts) and the “favela” (slum) stand in (symbolic and actual) opposition to the “fortified enclave”. The former are a *locus* where the stereotype of violence is widespread, “an idea that the media have not stopped reproducing in the past decades”. Due to that, socio-spatial segregation ends up also being the result of a prejudiced discourse that deepens self-segregation (in the downtown-outskirts direction) and, consequently, the segregation imposed on those many who are unprivileged and deprived of the right to the city.

2.2 Municipal urban legislation and the “laissez-faire” in the parceling and control of urban land use

Despite the strong criticism to fortified enclaves, we believe that, horizontal fortresses can be part of the mix of urban typologies. However, it is necessary for the urban space that is able to receive this typology to be very well defined in the municipal master plan and for the urban parameters provided for in the urban legislation for such areas to be clear and reasonable, in order to guarantee urban-environmental sustainability in the cities and prevent infrastructural overload and socio-spatial segregation.

However, such requirements are not complied with in the urban planning legislation of the Municipality of Belém, since it does not impose limits on the maximum size for existing plots in the city, thus boosting the corporate rationale for producing the city space, a kind of *laissez-faire* in the control of parceling and use of city land.

This lack of regulation by the city administration is very beneficial to the interests of real estate developers (CORRÊA, 1989), who maximize their investments, to the detriment of urban-environmental sustainability,

by allowing fortified enclaves to become huge portions of private land inside the urban grid, which influences the dynamics of the intra-urban circulation, since these gated communities have walls that sometimes are over 400 meters long and that join other walls of neighboring gated communities, thus deepening the effects of the privatization of the urban space.

As an example, we can see from satellite images (Google Earth) – considering Montenegro Boulevard and Green Ville Residence I are neighboring to each other (both in Parque Verde neighborhood) – that the joining of private areas causes a considerable suppression of land that once comprised the public part of the city, resulting in an insurmountable fracture of the urban spot.

For those who are on the outside, that is, in the city of fear, the walls are mechanisms for deepening public insecurity and hindering the dynamics of urban mobility because, in order to reach certain areas of the city, the inhabitants have to go around the enormous areas privatized by the horizontal fortresses.

Thus, in Belém, real estate developers are authorized to build horizontal strongholds with areas of over 10 hectares¹¹, as can be seen in the provisions of Art. 101 of Complementary Law 02, from July 19, 1999 (Urban Development Law), a norm that has the important job of defining the rules for the subdivision, occupation and use of the urban land in the Municipality of Belém, as follows:

Art. 101. Developments with an area of more than 10 ha (ten hectares) must have at least one access road wide enough to include at least four lanes, built or widened by the stakeholder until it connects to the existing road system (BELÉM, 1999).

Therefore, if we consider that the municipal urban legislation allows for gated communities more than 100,000 square meters large, that is, horizontal fortresses larger than 10 ha, this implies that it is possible to have plots whose walls are over 300 meters long; this means over 300 meters of continuous walls that obstruct the interaction between the inhabitants and also uproot a part of the population, expelling them to the outskirts of the cities (socio-spatial segregation), a stigmatized *locus* where

11 One hectare amounts to an area of 10,000 square meters. Available at: <<https://www.metric-conversions.org/pt-br/area/hectares-em-metros-quadrados.htm>>. Access on: 24 Sep 2018.

the right to the city is an abstraction for those who reside and survive there.

The following quote moves along the same lines:

These discourses contribute to the construction of inflexible separations that are, in that sense, analogous to the walls that multiply in the city. They impose rigid boundaries. Thus, one of the consequences (sic) of living in cities segregated by enclaves and marked by fear of crime is that, while reducing contact between people from different groups, social differences are perceived with greater rigidity and the proximity of strangers is seen as dangerous. In cities of walls and fear, inequalities and social distances are produced and reinforced at every step (CALDEIRA, 1997, p. 174).

The above passage illustrates well the consequences of this privatized city paradigm that generates negative (diffuse) externalities for all its inhabitants, including those who feel protected by walls, gatehouses and armed guards; after all, they are all forced to circulate throughout the rest of the city, even against their will.

Just as a comparison exercise, in the Municipality of São Paulo, what is known as “laissez-faire” in the control of development, use and occupation of urban land does not happen, since according to Art. 42 of the Law 16,402 (SÃO PAULO, 2016), the “maximum plot area in the territory of the urban region of the Municipality must be 20,000 m² (twenty thousand square meters), and the maximum front must be 150 meters (one hundred and fifty meters), both of which may be smaller, depending on the zone where lot is”.

It can be seen that in certain areas of the city this maximum plot area may be even smaller, depending on the characteristics and the degree of infrastructure in the respective area. This is very reasonable; after all, the norm lays down different parameters for different spaces of the city according to the amount of urban services offered to the population, as well as the building and population density in each zone.

Regarding the possibility of huge privatized urban stretches arising from the joining together of contiguous gated community areas, as can be seen in the urban space of “New Belém”, it is important to say that in São Paulo this is not possible, as according to Law 16,402 (SÃO PAULO, 2016),

Art. 43. The maximum block area in the urban area territory of the Municipality is 20,000m² (twenty thousand square meters) and the maximum length of the block front is 300m (three hundred meters), without prejudice to smaller limits laid down for the different zones (SÃO PAULO, 2016).

Therefore, it is clear that, by favoring the corporate interests of real estate developers, the excessively permissive urban legislation in Belém transfers the negative externalities, that is, the harmful consequences resulting from the deployment of large fortified enclaves in the urban fabric, to all the inhabitants, who are forced to live in a fragmented city where some privileged people reside in miniature garden cities, while the dispossessed, the poor, suffer from the privatization of large stretches of urban land.

CONCLUSION

This article contributes to the debate about the paradigm of configuration and reconfiguration of the land the city of Belém, especially on the scattered urban form resulting from the expansion of the urban-real estate frontier, which is the result of the construction of horizontal strongholds in the illusory and abstract “New Belém”; we thus conclude that this has as a consequence the noxious ability to expand socio-spatial segregation that exacerbates inequality within the urban fabric and divides the city into homogeneous areas unable to guarantee exchange and coexistence among its inhabitants.

Thus, referring to the research problem, we verified that an average of almost 17% of properties are located in fortified enclaves that are on the fringes of the urban order; that is, properties that are not fulfilling with any social function and provide no service to society. These properties serve solely their owners and confirm a capitalist logic of use and occupation of urban land. Besides, it is relevant to say that the fact that such plots are not at the service of society leads us to conclude that they contribute to the deepening of socio-spatial segregation, whether self-segregation or imposed segregation, both of which are extremely harmful to sustainability and equality in the city of Belém.

Thus, “New Belém”, as a product of the real estate market, is being configured through the creation of fortified ghettos that help nothing in the construction of a plural and democratic Belém. On the contrary, “New Belém” only serves to increase socioeconomic and spatial inequality in the urban fabric of the city of Belém.

On the specific objectives, we quote the following:

With the support of other previous studies, we determined that “New Belém” consists of that urban space limited to the area along Augusto Montenegro Highway and its surroundings, where horizontal strongholds have been built, which makes up the analytical body of this empirical research.

We have correlated the percentage of properties that do not fulfill their social function with the average market value of the properties (located in the gated communities that make up the subject matter of the research) and, despite the horizontal gated communities (Green Ville I and Água Cristal) – both with high percentages of noncompliance with the social function of properties (18% and 28%, respectively) – are “fortified enclaves” where the properties reach higher market value; it was also possible to determine that, despite having a commercial value well below the properties in the two gated communities mentioned above, the properties located in Jardim Portugal gated community display a 45% percentage of noncompliance with the social function of a property. Thus, even with great analytical effort, it was not possible to identify any pertinent relationship capable of producing satisfactory conclusions about the causes of this contradiction.

Also, it was not possible to correlate the percentage of noncompliance with the social function of properties of the real estates in the horizontal gated communities with the period of time the surveyed gated communities have existed for, since we could ascertain in which years they were inaugurated.

It is also worth highlighting that, after the analysis of the municipal urban legislation, it became very clear that the municipal legislator was too liberal in not laying down a maximum size for urban lots, especially in relation to the fortified enclaves. Such a legislative choice results in a greater scattering of the urban fabric (implying a higher cost of urbanization per capita), the establishment of homogeneous urban spaces

– that as a consequence lack a salutary social mix – in the privatization of a large portion of the urban space.

Therefore, the absence of a legal regulation capable of controlling urban land use and parceling has a graver consequence with regard to the increase of socio-spatial segregation, making “New Belém” into a “fortress city”.

Thus, this research was successful because it achieved most of its objectives and answered to the research problem. Therefore, it can be used as a starting point or stepping stone for other researches on the same subject matter.

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